

Atty Dkt. No. 061300-0364

Application No. 10/668,002

REMARKS

Applicants thank the Examiner for the detailed Office Action dated June 3, 2005.

Restriction Requirement

On page 2 of the Office Action, the claims were restricted into the following groups:

- I. Claims 1-19, 31-35, 46-48, 52-54, and 55-58, drawn to a device disabler based on the transmission state, classified in class 701, subclass 48.
- II. Claim 37, drawn to a hydraulic device disabler based on low hydraulic fluid, classified in class 701, subclass 29.
- III. Claims 42-45, drawn to a lubrication system, classified in class 701, subclass 30.
- IV. Claims 49-51, drawn to a rear view display, classified in class 348, subclass 113.
- V. Claims 20-30 and 36, drawn to a device disabler based on the position of a person, classified in class 701, subclass 45.
- VI. Claims 38-41, drawn to vehicle speed control based on position of vehicle devices, classified in class 701, subclass 97.

Applicants respectfully note that “[i]f the search and examination . . . can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” MPEP § 803.

Applicants respectfully submit that a search and examination of groups I and IV and claim 36 may be made without serious burden because these claims are also related to disabling/enabling devices based on the transmission state. For example, claim 36 recites shutting off the engine when the transmission is in reverse and a person is positioned on the footboard. Also, claim 49 recites displaying at least one image of an area to the rear of the refuse

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vehicle on the display when the transmission of the refuse vehicle is in reverse and/or when the refuse vehicle is moving in reverse.

The Examiner will search for all references related to disabling based on transmission state as part of the examination of the claims from group I. Applicants respectfully submit that in doing so the Examiner will have searched for a very large majority of the subject matter of claim 36 and the claims from group IV. Applicants submit that whatever additional searching is required, if any, will not add a serious burden to the Examiner. Accordingly, Applicants request withdrawal of the restriction requirement to allow groups I and IV and claim 36 to be prosecuted in this patent application.

Should the Examiner find Applicants arguments persuasive, Applicants elect to prosecute the claims of group I and IV and claim 36 with traverse. Should the Examiner find Applicants arguments unpersuasive, Applicants elect to prosecute the claims of group I with traverse.

Applicants have amended many of the withdrawn claims to depend from independent claim 1. Applicants respectfully request that these claims be entered upon allowance of claim 1 in accordance with 37 C.F.R. § 1.141(a).

* * *

Applicants respectfully submit that each and every outstanding objection and rejection has been overcome, and the present Application is in a condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Applicants respectfully put the Patent Office and all others on notice that all arguments, representations, and/or amendments contained herein are only applicable to the present patent application and should not be considered when evaluating any other patent or patent application including any patents or patent applications which claim priority to this patent application and/or any patents or patent applications to which priority is claimed by this patent application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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